

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IKE PAPADOPOULOS

Plaintiff,

vs.

STATE FARM LLOYDS

Defendant.

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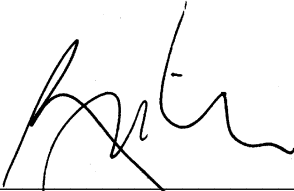
CIVIL ACTION H-03-3491
JURY

ORDER

Pending before the court are defendant's motions for summary judgment. Dkts. 13 & 14. The court stayed ruling on the motions because the Fifth Circuit certified a question to the Texas Supreme Court in a similar case, the answer to which would be outcome determinative for the case at bar. The plaintiff notified the court that the Texas Supreme Court ruled on the issue. Dkt. 26. *See Fiess v. State Farm Lloyds*, 2006 WL 2505995, at *5 (Tex. 2006) (finding that mold is not covered under an insurance policy that unambiguously states it does not cover mold). The plaintiff states that his response to the motions is no longer the law in Texas. He therefore urges that the defendant's motions should be granted and the case dismissed. Accordingly, the defendant's motions for summary judgment are GRANTED, and the case is DISMISSED.

It is so ORDERED.

Signed at Houston, Texas on September 20, 2006.



Gray H. Miller
United States District Judge